

December 13, 2002

CM Dan Niziolek, Chair
Public Safety and Regulatory Services Committee
Room 307 City Hall
Minneapolis, MN 55415

Dear Council Member Niziolek and Committee Members:

The following summarizes the changes made in the ordinance amendments proposed for the sidewalk cafes ordinance and Liquor, Wine and Beer ordinances.

Title 13, Chapter 265, Article VII, Sidewalk Cafe

265.300 This section clarifies the notification requirements for new sidewalk café permit applicants and specifies that the neighborhood groups and business associations to be notified are those maintained by the Planning Department.

The change in section “c” changes the notification distance from 200 feet to 300 feet to make it consistent with the notice requirement for an outdoor expansion, since they would have similar neighborhood impact.

265.305 This section clarifies the procedure for permit renewal.

Title 14, Chapter 360, 362, 363, 366, Liquor, Wine and Beer

The changes in these ordinances are intended to: 1) add the notification requirements for the applicants, 2) make the hearing distances more consistent in City ordinances, either 600 feet or 300 feet, depending on if the business is located in the downtown business district or not, and 3) eliminate the previous publication requirement in Finance and Commerce in the Liquor, Wine and Beer ordinances. Additionally, a hearing requirement was established for a permanent outdoor expansion, since these sometimes impact neighborhoods more than a sidewalk café, and we do have a hearing requirement for sidewalk cafes.

360.100(a) Establishes a hearing requirement for a permanent outdoor expansion and sets the distance and process the same as required for a sidewalk café.

362.100 The change deletes the requirement for notice of application to be published in the official City newspaper. The official City newspaper has been Finance and Commerce and this is not a newspaper that is widely read or available. In addition, publication is costly. We thought that the additional notification to the neighborhood and business could substitute for this.

362.260 This change clarifies that the Police investigator shall investigate the application in a broader manner than just clarifying the truthfulness of statements. It was thought that this more fully describes the investigation being done.

362.280 This refers to publishing which we are proposing to eliminate, so this section was eliminated.

362.290 This change eliminates the reading at a City Council meeting. Again, we think the notifications being done will suffice. Additionally, the distance for notification of a new liquor license was changed from 1200 feet to 600 feet. This was to try to make hearing distances more uniform and to reduce unnecessary mailings. Zoning notices only go out to those within 300 feet. We thought 300 feet would be too much of a reduction in the liquor area, so we changed it to 600 feet.

363.100 The change of the word "transfer" to "change" of ownership was made to update the ordinance, since wine licenses cannot be transferred. Each new owner must seek their own license. The rest of the changes update the ordinance to current processes and eliminates duplicate notification.

363.120 This section requires that applicants, as part of the application process, must provide documentation of notification of the council member of the ward, neighborhood group and business association. This section also requires the department to notify neighborhood groups and business associations when public hearings are conducted for wine applications. And we again delete reference to publication.

366.110 Changes update the ordinance to the current process.

366.130 This section requires notification of the neighborhood groups and business associations by new beer applicants.

366.150 Repeats the clarification on the investigation to be done.

366.170 Removes the publication requirement.

366.180 Changes the notification requirement to make it consistently, 600 feet for new applicants outside of downtown and 300 feet in downtown. This also requires the department to notify neighborhood groups and business associations of public hearings.

